IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 743 OF 2005

IN

WRIT PETITION NO. 76 OF 2002

M/S SOCIEDADE DE FOMENTO IND.LTD., ...Applicant

Versus

DIST.MAGISTRATE (N.GOA) & ORS. ....Respondents

Shri Sudesh Usgaonkar, Advocate for the applicant.

Shri S. S. Kanak, Advocate General with Ms. W. Coutinho, Government Advocate for the respondents No.1, 2, 3 and 4.

Ms. Norma Alvares, Advocate for Goa Foundation.

Mr. H. D. Naik, Advocate for the respondent No.5.

Mr. S. D. Lotlikar, Senior Advocate with Ms. K. Sambari, Advocate for the respondents No.6 and 7.

Coram:- R. M. LODHA &
N. A. BRITTO, JJ.

Date:- 11th October, 2005

P.C.

For the reasons that we have indicated in the order passed by us today separately while disposing of the Miscellaneous Civil Application No.742/2005, we dispose of this miscellaneous civil application as well by the following order :

(i) The Order dated 30/09/2005 passed by the Chairman of the Committee constituted by this Court as per Order dated 30/07/2002 is quashed and set aside.

(ii) The Committee shall consider the application for permission made by the present applicant for carrying out loading and/or unloading operations between 10 p.m. and 6 a.m. as per the Order dated 30/07/2002 and in accordance with law.

Parties may be provided copy of this order duly authenticated by the Court Sheristedar on payment of usual copying charges.

R. M. LODHA, J.

N. A. BRITTO, J.

ssm.